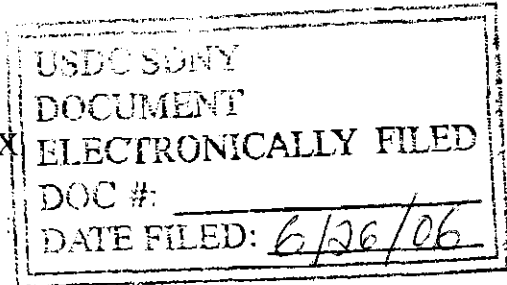


UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK



105 STREET ASSOCIATES, LLC,

Plaintiff,

05 CV 9938 (VM) (DCF)

-against-

GREENWICH INSURANCE COMPANY,

Defendant.

**STIPULATION**

**IT IS HEREBY STIPULATED AND AGREED**, by and between the undersigned attorneys for the respective parties herein, that:

1. By June 28, 2006, Wilson Elser Moskowitz Edelman & Dicker LLP ("WEMED") shall deliver to Plaintiff's counsel a Privilege Log with respect to the Subpoena Duces Tecum directed to it, dated May 19, 2006.

2. By June 28, 2006:

(a) Defendant shall deliver to Magistrate Judge Freeman (i) a copy of the first six documents on the Privilege Log previously produced (documents bates numbered GR288-309) with the exception of the document entitled "Guidelines Regarding Payment of Defense Costs," and (ii) all other documents to be set forth in the Privilege Log referred to in paragraph 1 above, including but not limited to WEMED's time records and invoices during the period from August 18, 2004 through September 20, 2004 inclusive which relate to this matter.

(b) Defendant's counsel may, but is not required to, submit to Magistrate Judge Freeman a letter accompanying the documents referred to in subdivision (a) to paragraph 2 above which explains such documents, and simultaneously deliver a copy of such letter to Plaintiff's counsel redacted to the extent of any information protected by privilege. Thereafter, Plaintiff's counsel may submit a letter to Magistrate Judge Freeman as well.

3. Subject to prior compliance by Defendant with any document production directive by Magistrate Judge Freeman with respect to any of the issues referred to in paragraphs 1 and 2 above or any prior directive, Defendant shall produce Michael Barnaba for deposition in Philadelphia on July 20, 2006. It is the intention of the parties that the deposition of Michael Barnaba shall proceed following production by Defendant of all documents previously or subsequently directed to be produced.

4. The deadline for service of requests for admission and/or a supplemental Rule 34 document request is extended to June 28, 2006.

5. The deadline for completion of all fact discovery, including depositions, is extended to July 31, 2006 solely (i) with respect to the foregoing items, (ii) the non-party deposition of North Shore Risk Management, and (iii) a non-party deposition of BFC Construction Corp.

Dated: New York, New York  
June 15, 2006

SCHNEIDER GOLDSTEIN BLOOMFIELD LLP

By:   
Donald F. Schneider (DFS-9886)

Attorneys for Plaintiff


Office Address and P.O. Box:

90 Broad Street, 6<sup>th</sup> Floor

New York, New York 10004

Tel.: (212) 265-2266

WILSON ELSER MOSKOWITZ  
EDELMAN & DICKER LLP

By:  **Glenn J. Fuent KHANH M. JOSEPHSON**  
(KMJ-8040)

Attorneys for Defendant

Office Address and P.O. Box:

150 East 42<sup>nd</sup> Street

New York, New York 10017

(212) 490-3000

SO ORDERED: 6/26/06

  
U.S.M.J.

Debra Freeman  
United States Magistrate Judge  
Southern District of New York